

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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RACHEL JENKINS, :
 :
 Plaintiff, : 07 Civ. 6322 (JGK) (HBP)
 :
 -against- : ORDER
 :
 NEW YORK STATE BANKING DEPARTMENT, :
 :
 Defendant. :

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PITMAN, United States Magistrate Judge

By notice of motion dated July 15, 2009 (Docket Item 25), plaintiff seeks to compel defendant to produce to her a free copy of her deposition transcript. The motion is denied.

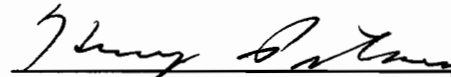
Although the parties to a litigation frequently enter into a reciprocal agreement to provide free copies of deposition transcripts to each other, there is no legal requirement in a civil action that a party who takes a deposition that is recorded stenographically must provide a copy of the transcript to the other parties in the litigation. Plaintiff has the right to review the transcript of her deposition and to make any changes that are appropriate. Defendant is not, however, obligated to provide her with a free copy of the transcript. Plaintiff may, of course, purchase a copy from the reporting company that transcribed the deposition.

Finally, even if I did have the authority to order defendant to provide plaintiff with a copy of her deposition transcript, plaintiff has not demonstrated that such an order is appropriate in this case. Plaintiff has made no factual showing that she lacks the financial ability to purchase a copy of her deposition transcript.

Accordingly, for all the foregoing reasons, plaintiff's application to compel defendant to provide her with a copy of her deposition transcript is denied.

Dated: New York, New York
July 29, 2009

SO ORDERED


HENRY PITMAN
United States Magistrate Judge

Copies mailed to:

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